S.B. CR.MISC.BAIL APPL.NO.7166/2007.

Narendra @ Bhagwan and anr.
Vs.
State

Date of order : 2/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Jagdish Singh Chauhan for the petitioners.
Shri Harshvardhan Nandvana PP for the State.

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Heard learned counsel for the petitioners, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioners has argued that allegation against the petitioners is of causing injury on the person of Bhawani Shankar. Injury No.1 has been attributed to petitioner No.1 Narendra and Injury No.2 though is fracture but is not on any vital part and therefore charge-sheet against the petitioner has been filed only for offence under Section 308 IPC which is punishable by seven years imprisonment. Further detention of the petitioner is therefore no longer required for any purpose of investigation. The petitioners were arrested on 1/10/2007 and trial of the case will take long.

Learned Public Prosecutor has opposed the bail application.

Without expressing any opinion on the merits of the case but taking into consideration the

aforesaid arguments, I deem it appropriate to enlarge the petitioners on bail during trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioners Narendra @ Bhagwan S/o Babu Lal Meena and Chandra Prakash S/o Babu Lal shall be released on bail in F.I.R. No.190/2007 P.S. Atru, Distt.Baran for offences under Sections 447, 323, 34, 325, 324 and 308 IPC subject to each of them furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for their appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

anil/-